

Filed for intro on 02/01/95  
Senate Bill \_\_\_\_\_  
By \_\_\_\_\_

House Bill No.HB0303  
By Kisber

AN ACT to amend Tennessee Code Annotated, Title 7, Chapter 86, Part 1, relative to Emergency Communications Districts.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 7-86-105, is amended in subdivision (b)(1) by deleting the first sentence of the subdivision and replacing it with:

The legislative body of any municipality creating an emergency communications district may appoint a board of directors of not fewer than seven (7) nor more than nine (9) members to govern the affairs of the district.

SECTION 2. Tennessee Code Annotated, Section 7-86-105, is further amended in subdivision (b)(1) by deleting the last sentence of the subdivision.

SECTION 3. Tennessee Code Annotated, Section 7-86-105, is further amended by designating subdivision (b)(1) as (b)(1)(A) and by adding the following as (b)(1)(B):

(B)

(i) Except as otherwise provided in this section, the board of directors of an emergency communications district created by a county shall consist of not fewer than seven (7) nor more than nine (9) members, as determined by the

county legislative body. Members shall be appointed by the county legislative body and the legislative body of any participating municipality with a population in the county of greater than ten thousand (10,000) according to the latest federal census, as provided in this subdivision.

(ii) The number of directors appointed by a municipality shall be in the direct proportion to the entire membership to which the board is entitled, based upon the county legislative body's determination, that the population of the municipality bears to the population of the county as a whole, provided that any participating municipality with the requisite population is entitled to at least one (1) appointment to the board. When a municipality is entitled to the appointment of a whole number and fraction under the above formula the fraction shall be dropped.

(iii) All board members not appointed by a municipal legislative body shall be appointed by the county legislative body. The method of appointment by the county legislative body shall be by the confirmation process established in Section 5-6-106(c).

(iv) County and municipal legislative bodies shall make appointments to the board from among the following: mayors, county executives, members of city and county legislative bodies, police chiefs, fire chiefs, sheriffs, rescue and ambulance squad directors, and citizens who are knowledgeable of emergency communications district operations.

SECTION 4. Tennessee Code Annotated, Section 7-86-108, is amended in subdivision (a)(1) by inserting the following between the first and second sentences of the subdivision:

This levy may be extended to include the users of cellular telephone service in the district who reside or have business locations in the district.

SECTION 5. Tennessee Code Annotated, Section 7-86-108, is amended by adding the following as a new subsection:

( ) Revenues from the tariffs authorized in this section shall be used for the operation of the district and for the purchases of necessary equipment for the district.

SECTION 6. Tennessee Code Annotated, Section 7-86-120, is amended in the first sentence of subsection (b) by inserting “and to members of municipal legislative bodies participating in the district” between the words “appropriate legislative body” and “at least”.

SECTION 7. Tennessee Code Annotated, Section 7-86-120, is further amended in subsection (b) by inserting the following sentence between the second and third sentences of the subsection:

Prior to adoption of the budget, the board of directors shall hold a public hearing on the proposed budget for which adequate public notice has been given.

SECTION 8. This act shall take effect upon becoming a law, the public welfare requiring it. The provisions of Section 3 relative to appointments to county-created district boards shall be implemented as present terms expire with municipal appointments being made first. Among municipalities, priority in making appointments shall be based on population beginning with the municipality having the larger population.